

Appendix E Agency Correspondence



FACSIMILE TRANSMISSION COVER SHEET

DATE: 31 OCT 2005

TO: KARLA NICHOLAS

Fax: 415/546-1602

CC:

Fax:

FROM: ADAM BAWARD

NUMBER OF PAGES INC. COVER SHEET: (22)

RE: USFWS SPECIES LIST FOR I-S80 - DATED SEPT 8, 2003

REMARKS:

KARLA -

ATTACHED IS THE LIST JEANNETTE REQUESTED
FROM THE SERVICE.

SIGNED:

PARSONS

120 Howard Street, Suite 850 • San Francisco, CA 94105 • phone (415) 495-6050 • fax (415) 546-1602

FAX TRANSMITTAL

To: Adam Ballard**From:** Lois Stevens

Company: ECORP**Pages:** 21 including cover sheet

Fax: 916-782-9122**Date:** September 14, 2005

Phone: 916-782-9100**Project No:** 645176

Subject: I-580 EB HOV Lane Project
USFWS Species List – September 8, 2003



IN REPLY REFER TO:
1-1-03-SP-2934

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825

RECEIVED

SEP - 9 2003

PARSONS

September 8, 2003

Ms. Jeannette Owen
Wildlife Biologist
Parsons
2233 Watt Avenue
Suite 330
Sacramento, California 95825

Subject: Species List for I-580 Improvement Project in Livermore, Alameda
County, California

Dear Ms. Owen:

We are sending the enclosed list in response to your September 3, 2003, request for information about endangered and threatened species (Enclosure A). The list covers the following U.S. Geological Survey 7½ minute quad or quads: Altamont, Livermore and Dublin Quads.

Please read *Important Information About Your Species List* (enclosed). It explains how we made the list and describes your responsibilities under the Endangered Species Act. Please contact Dan Buford at (916) 414-6625, if you have any questions about the attached list or your responsibilities under the Endangered Species Act. For the fastest response to species list requests, address them to the attention of Species Lists at this address. You may fax requests to 414-6712 or 414-6713. You may also email them to harry_mossman@fws.gov.

Sincerely,

Roberta Gerson
Acting Deputy Assistant Field Supervisor

Enclosures

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute *quads*. The United States is divided into these quads, which are about the size of San Francisco. If you requested your list by quad name or number, that is what we used. Otherwise, we used the information you sent us to determine which quad or quads to use.

Animals

The animals on your species list are ones that occur within, *or may be affected by projects within*, the quads covered by the list. Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them. Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents. Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones *that have actually been observed* in the quad or quads covered by the list. We have also included either a county species list or a list of species in nearby quads. We recommend that you check your project area for these plants. Plants may exist in an area without ever having been detected there.

Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. For plant surveys, we recommend using the enclosed *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Species*. The results of your surveys should be published in any environmental documents prepared for your project.

State-Listed Species

If a species has been listed as threatened or endangered by the State of California, but not by us nor by the National Marine Fisheries Service, it will appear on your list as a Species of Concern. *However you should contact the California Department of Fish and Game for official information about these species.* Call (916) 322-2493 or write Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814.

Your Responsibilities Under the Endangered Species Act

All plants and animals identified as *listed* on Enclosure A are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the *take* of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a *formal consultation* with the Service. During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a *biological opinion* by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an *incidental take permit*. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project. Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as *critical habitat*. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Maps and boundary descriptions of the critical habitat may be found in the *Federal Register*. The information is also reprinted in the *Code of Federal Regulations* (50 CFR 17.95).

Candidate Species

We recommend that you address impacts to *candidate* species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Your list may contain a section called *Species of Concern*. This term includes former *category 2 candidate species* and other plants and animals of concern to the Service and other Federal, State and private conservation agencies and organizations. Some of these species may become candidate species in the future.

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed, candidate and special concern species in your planning, this should not be a problem. We also continually strive to make our information as accurate as possible. Sometimes we learn that a particular species has a different range than we thought. This should not be a problem if you consider the species on the county or surrounding-quad lists that we have enclosed. If you have a long-term project or if your project is delayed, please feel free to contact us about getting a current list. You can also find out the current status of a species by going to the Service's Internet page: www.fws.gov

GUIDELINES FOR CONDUCTING AND REPORTING BOTANICAL INVENTORIES
FOR FEDERALLY LISTED, PROPOSED AND CANDIDATE PLANTS
(September 23, 1996)

These guidelines describe protocols for conducting botanical inventories for federally listed, proposed and candidate plants, and describe minimum standards for reporting results. The Service will use, in part, the information outlined below in determining whether the project under consideration may affect any listed, proposed or candidate plants, and in determining the direct, indirect, and cumulative effects.

Field inventories should be conducted in a manner that will locate listed, proposed, or candidate species (target species) that may be present. The entire project area requires a botanical inventory, except developed agricultural lands. The field investigator(s) should:

1. Conduct inventories at the appropriate times of year when target species are present and identifiable. Inventories will include all potential habitats. Multiple site visits during a field season may be necessary to make observations during the appropriate phenological stage of all target species.
2. If available, use a regional or local reference population to obtain a visual image of the target species and associated habitat(s). If access to reference populations is not available, investigators should study specimens from local herbaria.
3. List every species observed and compile a comprehensive list of vascular plants for the entire project site. Vascular plants need to be identified to a taxonomic level which allows rarity to be determined.
4. Report results of botanical field inventories that include:
 - a. a description of the biological setting, including plant community, topography, soils, potential habitat of target species, and an evaluation of environmental conditions, such as timing or quantity of rainfall, which may influence the performance and expression of target species
 - b. a map of project location showing scale, orientation, project boundaries, parcel size, and map quadrangle name
 - c. survey dates and survey methodology(ies)
 - d. if a reference population is available, provide a written narrative describing the target species reference population(s) used, and date(s) when observations were made
 - e. a comprehensive list of all vascular plants occurring on the project site for each habitat type
 - f. current and historic land uses of the habitat(s) and degree of site alteration
 - g. presence of target species off-site on adjacent parcels, if known

- h. an assessment of the biological significance or ecological quality of the project site in a local and regional context
5. If target species is(are) found, report results that additionally include:
 - a. a map showing federally listed, proposed and candidate species distribution as they relate to the proposed project
 - b. if target species is (are) associated with wetlands, a description of the direction and integrity of flow of surface hydrology. If target species is (are) affected by adjacent off-site hydrological influences, describe these factors.
 - c. the target species phenology and microhabitat, an estimate of the number of individuals of each target species per unit area; identify areas of high, medium and low density of target species over the project site, and provide acres of occupied habitat of target species. Investigators could provide color slides, photos or color copies of photos of target species or representative habitats to support information or descriptions contained in reports.
 - d. the degree of impact(s), if any, of the proposed project as it relates to the potential unoccupied habitat of target habitat.
6. Document findings of target species by completing California Native Species Field Survey Form(s) and submit form(s) to the Natural Diversity Data Base. Documentation of determinations and/or voucher specimens may be useful in cases of taxonomic ambiguities, habitat or range extensions.
7. Report as an addendum to the original survey, any change in abundance and distribution of target plants in subsequent years. Project sites with inventories older than three years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.
8. Adverse conditions may prevent investigator(s) from determining presence or identifying some target species in potential habitat(s) of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any year. An additional botanical inventory(ies) in a subsequent year(s) may be required if adverse conditions occur in a potential habitat(s). Investigator(s) may need to discuss such conditions.
9. Guidance from California Department of Fish and Game (CDFG) regarding plant and plant community surveys can be found in Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities, 1984. Please contact the CDFG Regional Office for questions regarding the CDFG guidelines and for assistance in determining any applicable State regulatory requirements.

ENCLOSURE A

Endangered and Threatened Species that May Occur in or be Affected by
Projects in the Area of the Following California Counties

Reference File No. 1-1-03-SP-2934

September 8, 2003

ALAMEDA COUNTY

Listed Species

Mammals

- San Joaquin kit fox, *Vulpes macrotis mutica* (E)
- riparian (San Joaquin Valley) woodrat, *Neotoma fuscipes riparia* (E) *
- riparian brush rabbit, *Sylvilagus bachmani riparius* (E) *
- salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

Birds

- California brown pelican, *Pelecanus occidentalis californicus* (E)
- California clapper rail, *Rallus longirostris obsoletus* (E)
- California least tern, *Sterna antillarum (=albifrons) browni* (E)
- bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

- Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)
- Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Amphibians

- California red-legged frog, *Rana aurora draytonii* (T)

Fish

- Central California Coastal steelhead, *Oncorhynchus mykiss* (T) NMFS
- Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T) NMFS
- Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E) NMFS
- Sacramento splittail, *Pogonichthys macrolepidotus* (T)
- coho salmon - central CA coast, *Oncorhynchus kisutch* (T) NMFS
- delta smelt, *Hypomesus transpacificus* (T) *
- tidewater goby, *Eucyclogobius newberryi* (E)
- winter-run chinook salmon, *Oncorhynchus tshawytscha* (E) NMFS

Invertebrates

- bay checkerspot butterfly, *Euphydryas editha bayensis* (T)
- callippe silverspot butterfly, *Speyeria callippe callippe* (E)
- longhorn fairy shrimp, *Branchinecta longiantenna* (E)
- vernal pool fairy shrimp, *Branchinecta lynchi* (T)
- vernal pool tadpole shrimp, *Lepidurus packardii* (E)

Reference File No. 1-1-03-SP-2934

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Plants

California sea blite, *Suaeda californica* (E) *
Contra Costa goldfields, *Lasthenia conjugens* (E)
Presidio clarkia, *Clarkia franciscana* (E)
Santa Cruz tarplant, *Holocarpha macradenia* (T) *
large-flowered fiddleneck, *Amsinckia grandiflora* (E)
pallid manzanita (=Alameda or Oakland Hills manzanita), *Arctostaphylos pallida* (T)
palmate-bracted bird's-beak, *Cordylanthus palmatus* (E)
robust spineflower, *Chorizanthe robusta* var. *robusta* (E) *
showy Indian clover, *Trifolium amoenum* (E) *

Proposed Species

Birds

mountain plover, *Charadrius montanus* (PT)

Amphibians

California tiger salamander, *Ambystoma californiense* (PT)

Invertebrates

Critical habitat, vernal pool invertebrates, (PX)

Candidate Species

Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C) NMFS
Critical habitat, Central Valley fall/late fall-run chinook, *Oncorhynchus tshawytscha* (C) NMFS
green sturgeon, *Acipenser medirostris* (C)

Species of Concern

Mammals

Alameda Island mole, *Scapanus latimanus parvus* (SC)
Berkeley kangaroo rat, *Dipodomys heermanni berkeleyensis* (SC) *
Pacific western big-eared bat, *Corynorhinus* (=Plecotus) *townsendii townsendii* (SC)
San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)
San Joaquin pocket mouse, *Perognathus inornatus* (SC)
Yuma myotis bat, *Myotis yumanensis* (SC)
fringed myotis bat, *Myotis thysanodes* (SC)
greater western mastiff-bat, *Eumops perotis californicus* (SC)
long-eared myotis bat, *Myotis evotis* (SC)
long-legged myotis bat, *Myotis volans* (SC)
salt marsh vagrant shrew, *Sorex vagrans helicoetes* (SC)
small-footed myotis bat, *Myotis ciliolabrum* (SC)

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Birds

Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)
 Aleutian Canada goose, *Branta canadensis leucopareia* (D)
 Allen's hummingbird, *Selasphorus sasin* (SC)
 American bittern, *Botaurus lentiginosus* (SC)
 American peregrine falcon, *Falco peregrinus anatum* (D)
 Bell's sage sparrow, *Amphispiza belli belli* (SC)
 California thrasher, *Toxostoma redivivum* (SC)
 Costa's hummingbird, *Calypte costae* (SC)
 Lawrence's goldfinch, *Carduelis lawrencei* (SC)
 Lewis' woodpecker, *Melanerpes lewis* (SC)
 Vaux's swift, *Chaetura vauxi* (SC)
 bank swallow, *Riparia riparia* (CA)
 black rail, *Lateralus jamaicensis coturniculus* (CA)
 black skimmer, *Rynchops niger* (SC)
 ferruginous hawk, *Buteo regalis* (SC)
 little willow flycatcher, *Empidonax traillii brewsteri* (CA)
 loggerhead shrike, *Lanius ludovicianus* (SC)
 long-billed curlew, *Numenius americanus* (SC)
 marbled godwit, *Limosa fedoa* (SC)
 oak titmouse, *Baeolophus inornatus* (SLC)
 olive-sided flycatcher, *Contopus cooperi* (SC)
 red knot, *Calidris canutus* (SC)
 red-breasted sapsucker, *Sphyrapicus ruber* (SC)
 rufous hummingbird, *Selasphorus rufus* (SC)
 saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)
 tricolored blackbird, *Agelaius tricolor* (SC)
 western burrowing owl, *Athene cunicularia hypugaea* (SC)
 white-faced ibis, *Plegadis chihi* (SC)
 white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

Reptiles

California horned lizard, *Phrynosoma coronatum frontale* (SC)
 San Joaquin coachwhip (=whipsnake), *Masticophis flagellum ruddocki* (SC)
 northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
 silvery legless lizard, *Anniella pulchra pulchra* (SC)
 southwestern pond turtle, *Clemmys marmorata pallida* (SC)

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Amphibians

- foothill yellow-legged frog, *Rana boylei* (SC)
- western spadefoot toad, *Spea hammondi* (SC)

Fish

- Pacific lamprey, *Lampetra tridentata* (SC)
- longfin smelt, *Spirinchus thaleichthys* (SC)
- river lamprey, *Lampetra ayraei* (SC)

Invertebrates

- Bridges' Coast Range shoulderband snail, *Helminthoglypta nickliniana bridgesi* (SC)
- California linderiella fairy shrimp, *Linderiella occidentalis* (SC)
- Fairmont (=Lum's) microblind harvestman, *Microcina lumi* (SC)
- Opler's longhorn moth, *Adela oplerella* (SC)
- Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
- San Francisco lacewing, *Nothochrysa californica* (SC)
- curved-foot hygrotus diving beetle, *Hygrotus curvipes* (SC)

Plants

- Ben Lomond buckwheat (= naked buckwheat), *Eriogonum nudum* var. *decurrens* (SC)
- Choris's (=artist's) popcorn-flower, *Plagiobothrys chorisianus* var. *chorisianus* (SLC) *
- Congdon's tarplant, *Hemizonia parryi* ssp. *congdonii* (SC)
- Critical habitat, vernal pool plants, (X)
- Diablo helianthella (=rock-rose), *Helianthella castanea* (SC)
- Hall's bush mallow, *Malacothamnus hallii* (=M. *fasciculatus*) (SLC)
- Hoover's button-celery, *Eryngium aristulatum* var. *hooveri* (SC)
- Hoover's cryptantha, *Cryptantha hooveri* (SLC)
- Kellogg's horkelia, *Horkelia cuneata* ssp. *sericea* (SC) *
- Lemmon's jewelflower, *Caulanthus coulteri* var. *lemmonii* (SLC) *
- Livermore tarplant, *Deinandra bacigalupii* (SC)
- Loma Prieta hoita, *Holita strobilina* (SC) *
- Mason's Illaeopsis, *Illaeopsis masonii* (SC)
- Mt. Hamilton coreopsis, *Coreopsis hamiltonii* (SC)
- Mt. Hamilton thistle, *Cirsium fontinale* var. *campylon* (SC)
- Napa western flax, *Hesperolinon serpentinum* (SC)
- Pacific cordgrass (=California cordgrass), *Spartina foliosa* (SLC)
- San Francisco Bay spineflower, *Chorizanthe cuspidata* var. *cuspidata* (SC) *
- San Francisco popcornflower, *Plagiobothrys diffusus* (CA)
- San Joaquin spearscale (=saltbush), *Atriplex joaquiniana* (SC)
- Sharsmith's onion, *Allium sharsmithae* (SC)

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South Bay clarkia (=Santa Clara red ribbons), *Clarkia concinna* ssp. *automixa* (SC)
Tiburon buckwheat, *Eriogonum caninum* (SLC)
adobe sanicle, *Sanicula maritima* (SC) *
alkali milk-vetch, *Astragalus tener* var. *tener* (SC)
bent-flowered fiddleneck, *Amsinckia lunaris* (SLC)
big tarplant, *Blepharizonia plumosa* ssp. *plumosa* (SC)
big-scale (=California) balsamroot, *Balsamorhiza macrolepis* var. *macrolepis* (SLC)
brittlescale, *Atriplex depressa* (SC)
caper-fruited tropidocarpum, *Tropidocarpum capparideum* (SC) *
chaparral harebell (=bellflower), *Campanula exigua* (SLC)
delta tule-pea, *Lathyrus jepsonii* var. *jepsonii* (SC)
diamond-petaled California poppy, *Eschscholzia rhombipetala* (SC)
fragrant fritillary (=prairie bells), *Fritillaria liliacea* (SC)
hairless allocarya (=popcornflower), *Plagiobothrys glaber* (SC) **
heartscale, *Atriplex cordulata* (SC)
hispid bird's-beak, *Cordylanthus mollis* ssp. *hispidus* (SC)
Interior California (Hospital Canyon) larkspur, *Delphinium californicum* ssp. *interius* (SC)
large-flowered (=flower) linanthus, *Linanthus grandiflorus* (SC)
little mouseltail, *Myosurus minimus* ssp. *apus* (SC)
most beautiful (uncommon) jewelflower, *Streptanthus albidus* ssp. *peramoenus* (SC)
northcoast (=Point Reyes) bird's-beak, *Cordylanthus maritimus* ssp. *palustris* (SC) *
prostrate navaretia (=prostrate pincushionplant), *Navaretia prostrata* (SC) *
recurved larkspur, *Delphinium recurvatum* (SC)
robust monardella (=robust coyote mint), *Monardella villosa* ssp. *globosa* (SLC)
salt marsh owl's clover (=johnny-nip), *Castilleja ambigua* ssp. *ambigua* (SLC)
serpentine bedstraw, *Galium andrewsii* ssp. *gatense* (SLC)
stinkbells, *Fritillaria agrestis* (SLC)
talus fritillary, *Fritillaria falcata* (SC)
water sack (=saline) clover, *Trifolium depauperatum* var. *hydrophilum* (SC)
western leatherwood, *Dirca occidentalis* (SLC)

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KEY:

(E)	<i>Endangered</i>	Listed (in the Federal Register) as being in danger of extinction.
(T)	<i>Threatened</i>	Listed as likely to become endangered within the foreseeable future.
(P)	<i>Proposed</i>	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX)	<i>Proposed Critical Habitat</i>	Proposed as an area essential to the conservation of the species.
(C)	<i>Candidate</i>	Candidate to become a <i>proposed</i> species.
(SC)	<i>Species of Concern</i>	Other species of concern to the Service.
(SLC)	<i>Species of Local Concern</i>	Species of local or regional concern or conservation significance.
(D)	<i>Delisted</i>	Delisted. Status to be monitored for 5 years.
(CA)	<i>State-Listed</i>	Listed as threatened or endangered by the State of California.
NMFS	NMFS species	Under jurisdiction of the National Marine Fisheries Service. Contact them directly.
*	<i>Extirpated</i>	Possibly extirpated from the area.
**	<i>Extinct</i>	Possibly extinct
	<i>Critical Habitat</i>	Area essential to the conservation of a species.

ENCLOSURE A

Endangered and Threatened Species that May Occur in
or be Affected by Projects in the Selected Quads Listed Below

Reference File No. 1-1-03-SP-2934

September 8, 2003

QUAD: 445B ALTAMONT

Listed Species

Mammals

riparian (San Joaquin Valley) woodrat, *Neotoma fuscipes riparia* (E) *

riparian brush rabbit, *Sylvilagus bachmani riparius* (E) *

San Joaquin kit fox, *Vulpes macrotis mutica* (E)

Birds

bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

delta smelt, *Hypomesus transpacificus* (T)

Central California Coastal steelhead, *Oncorhynchus mykiss* (T) NMFS

Central Valley steelhead, *Oncorhynchus mykiss* (T) NMFS

Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

longhorn fairy shrimp, *Branchinecta longiantenna* (E)

vernal pool fairy shrimp, *Branchinecta lynchi* (T)

Plants

palmate-bracted bird's-beak, *Cordylanthus palmatus* (E)

Proposed Species

Birds

mountain plover, *Charadrius montanus* (PT)

Amphibians

California tiger salamander, *Ambystoma californiense* (PT)

Invertebrates

Critical habitat, vernal pool invertebrates, (PX)

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Candidate Species

Fish

green sturgeon, *Acipenser medirostris* (C)

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C) NMFS

Species of Concern

Mammals

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

small-footed myotis bat, *Myotis ciliolabrum* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

San Joaquin pocket mouse, *Perognathus inornatus* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

western burrowing owl, *Athene cunicularia hypugaea* (SC)

oak titmouse, *Baeolophus inornatus* (SLC)

ferruginous hawk, *Buteo regalis* (SC)

Costa's hummingbird, *Calypte costae* (SC)

Lawrence's goldfinch, *Carduelis lawrencei* (SC)

Vaux's swift, *Chaetura vauxi* (SC)

white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

prairie falcon, *Falco mexicanus* (SC)

American peregrine falcon, *Falco peregrinus anatum* (D)

greater sandhill crane, *Grus canadensis tabida* (CA)

loggerhead shrike, *Lanius ludovicianus* (SC)

Lewis' woodpecker, *Melanerpes lewis* (SC)

long-billed curlew, *Numenius americanus* (SC)

rufous hummingbird, *Selasphorus rufus* (SC)

Allen's hummingbird, *Selasphorus sasin* (SC)

California thrasher, *Toxostoma redivivum* (SC)

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Reptiles

- silvery legless lizard, *Anniella pulchra pulchra* (SC)
- northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
- southwestern pond turtle, *Clemmys marmorata pallida* (SC)
- San Joaquin coachwhip (=whipsnake), *Masticophis flagellum ruddocki* (SC)
- California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

- foothill yellow-legged frog, *Rana boylei* (SC)
- western spadefoot toad, *Spea hammondi* (SC)

Fish

- river lamprey, *Lampetra ayresi* (SC)
- Pacific lamprey, *Lampetra tridentata* (SC)
- longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

- curved-foot hygrotus diving beetle, *Hygrotus curvipes* (SC)
- California linderiella fairy shrimp, *Linderiella occidentalis* (SC)

Plants

- Critical habitat, vernal pool plants, (X)
- bent-flowered fiddleneck, *Amsinckia lunaris* (SLC)
- alkali milk-vetch, *Astragalus tener* var. *tener* (SC) *
- heartscale, *Atriplex cordulata* (SC)
- brittlescale, *Atriplex depressa* (SC)
- San Joaquin spearscale (=saltbush), *Atriplex joaquiniana* (SC)
- big-scale (=California) balsamroot, *Balsamorhiza macrolepis* var. *macrolepis* (SLC)
- big tarplant, *Blepharizonia plumosa* ssp. *plumosa* (SC)
- hispid bird's-beak, *Cordylanthus mollis* ssp. *hispidus* (SC)
- Livermore tarplant, *Deinandra bacigalupii* (SC)
- little mouseltail, *Myosurus minimus* ssp. *apus* (SC)
- hairless allocarya (=popcornflower), *Plagiobothrys glaber* (SC) **
- water sack (=saline) clover, *Trifolium depauperatum* var. *hydrophilum* (SC)
- caper-fruited tropidocarpum, *Tropidocarpum capparideum* (SC) **

QUAD: 446A LIVERMORE

Listed Species

Mammals

- riparian (San Joaquin Valley) woodrat, *Neotoma fuscipes riparia* (E) *
- riparian brush rabbit, *Sylvilagus bechmani riparius* (E) *

Reference File No. 1-1-03-SP-2934

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San Joaquin kit fox, *Vulpes macrotis mutica* (E)

Birds

bald eagle, *Haliaeetus leucocephalus* (T)

California least tern, *Sterna antillarum* (=albifrons) browni (E)

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

delta smelt, *Hypomesus transpacificus* (T)

Central California Coastal steelhead, *Oncorhynchus mykiss* (T) NMFS

Central Valley steelhead, *Oncorhynchus mykiss* (T) NMFS

Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

longhorn fairy shrimp, *Branchinecta longiantenna* (E)

vernal pool fairy shrimp, *Branchinecta lynchi* (T)

Plants

palmate-bracted bird's-beak, *Cordylanthus palmatus* (E)

Proposed Species

Birds

mountain plover, *Charadrius montanus* (PT)

Amphibians

California tiger salamander, *Ambystoma californiense* (PT)

Invertebrates

Critical habitat, vernal pool invertebrates, (PX)

Candidate Species

Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C) NMFS

Species of Concern

Mammals

Pacific western big-eared bat, *Corynorhinus* (=Plecotus) townsendii townsendii (SC)

Berkeley kangaroo rat, *Dipodomys heermanni berkeleyensis* (SC) *

greater western mastiff-bat, *Eumops perotis californicus* (SC)

small-footed myotis bat, *Myotis ciliolabrum* (SC)

Reference File No. 1-1-03-SP-2934

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long-eared myotis bat, *Myotis evotis* (SC)
fringed myotis bat, *Myotis thysanodes* (SC)
long-legged myotis bat, *Myotis volans* (SC)
Yuma myotis bat, *Myotis yumanensis* (SC)
San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)
Bell's sage sparrow, *Amphispiza belli belli* (SC)
western burrowing owl, *Athene cunicularia hypugaea* (SC)
oak titmouse, *Baeolophus inornatus* (SLC)
ferruginous hawk, *Buteo regalis* (SC)
Costa's hummingbird, *Calypte costae* (SC)
Lawrence's goldfinch, *Carduelis lawrencei* (SC)
Vaux's swift, *Chaetura vauxi* (SC)
black swift, *Cypseloides niger* (SC)
white-tailed (=black shouldered) Kite, *Elanus leucurus* (SC)
little willow flycatcher, *Empidonax traillii brewsteri* (CA)
prairie falcon, *Falco mexicanus* (SC)
American peregrine falcon, *Falco peregrinus anatum* (D)
loggerhead shrike, *Lanius ludovicianus* (SC)
Lewis' woodpecker, *Melanerpes lewis* (SC)
long-billed curlew, *Numenius americanus* (SC)
rufous hummingbird, *Selasphorus rufus* (SC)
Allen's hummingbird, *Selasphorus sasin* (SC)
California thrasher, *Toxostoma redivivum* (SC)

Reptiles

silvery legless lizard, *Anniella pulchra pulchra* (SC)
northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
southwestern pond turtle, *Clemmys marmorata pallida* (SC)
San Joaquin coachwhip (=whipsnake), *Masticophis flagellum ruddocki* (SC)
California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylei* (SC)

Fish

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Reference File No. 1-1-03-SP-2934

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Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
curved-foot hygrotus diving beetle, *Hygrotus curvipes* (SC)
California linderiella fairy shrimp, *Linderiella occidentalis* (SC)

Plants

Critical habitat, vernal pool plants, (X)
alkali milk-vetch, *Astragalus tener* var. *tener* (SC) *
San Joaquin spearscale (=saltbush), *Atriplex joaquiniana* (SC)
big-scala (=California) balsamroot, *Balsamorhiza macrolepis* var. *macrolepis* (SLC)
big tarplant, *Blepharizonia plumosa* ssp. *plumosa* (SC)
Livermore tarplant, *Deinandra bicigalupii* (SC) ?
Congdon's tarplant, *Hemizonia parryi* ssp. *congdonii* (SC)
water sack (=saline) clover, *Trifolium depauperatum* var. *hydrophilum* (SC)

QUAD: 446B DUBLIN

Listed Species

Mammals

riparian (San Joaquin Valley) woodrat, *Neotoma fuscipes riparia* (E) *
salt marsh harvest mouse, *Reithrodontomys raviventris* (E)
riparian brush rabbit, *Sylvilagus bachmani riparius* (E) *
San Joaquin kit fox, *Vulpes macrotis mutica* (E)

Birds

bald eagle, *Haliaeetus leucocephalus* (T)
California least tern, *Sterna antillarum* (=albifrons) *browni* (E)

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)
Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

delta smelt, *Hypomesus transpacificus* (T)
Central California Coastal steelhead, *Oncorhynchus mykiss* (T) NMFS
Central Valley steelhead, *Oncorhynchus mykiss* (T) NMFS
winter-run chinook salmon, *Oncorhynchus tshawytscha* (E) NMFS
Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T) NMFS
Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

longhorn fairy shrimp, *Branchinecta longiantenna* (E)

Reference File No. 1-1-03-SP-2934

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vernal pool fairy shrimp, *Branchinecta lynchi* (T)

Proposed Species

Amphibians

California tiger salamander, *Ambystoma californiense* (PT)

Candidate Species

Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C) NMFS

Species of Concern

Mammals

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

small-footed myotis bat, *Myotis ciliolabrum* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

western burrowing owl, *Athene cunicularia hypugaea* (SC)

ferruginous hawk, *Buteo regalis* (SC)

Costa's hummingbird, *Calypte costae* (SC)

Lawrence's goldfinch, *Carduelis lawrencei* (SC)

Vaux's swift, *Chaetura vauxi* (SC)

black swift, *Cypseloides niger* (SC)

white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

prairie falcon, *Falco mexicanus* (SC)

American peregrine falcon, *Falco peregrinus anatum* (D)

saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)

loggerhead shrike, *Lanius ludovicianus* (SC)

Lewis' woodpecker, *Melanerpes lewis* (SC)

long-billed curlew, *Numenius americanus* (SC)

bank swallow, *Riparia riparia* (CA)

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rufous hummingbird, *Selasphorus rufus* (SC)
Allen's hummingbird, *Selasphorus sasin* (SC)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
southwestern pond turtle, *Clemmys marmorata pallida* (SC)
California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylei* (SC)

Fish

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)
curved-foot hygrotus diving beetle, *Hygrotus curvipes* (SC)
California linderiella fairy shrimp, *Linderiella occidentalis* (SC)

Plants

Diablo hellanthella (=rock-rose), *Helianthella castanea* (SC)
Congdon's tarplant, *Hemizonia parryi* ssp. *congdonii* (SC)

KEY:

(E)	<i>Endangered</i>	Listed (in the Federal Register) as being in danger of extinction.
(T)	<i>Threatened</i>	Listed as likely to become endangered within the foreseeable future.
(P)	<i>Proposed</i>	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX)	<i>Proposed Critical Habitat</i>	Proposed as an area essential to the conservation of the species.
(C)	<i>Candidate</i>	Candidate to become a <i>proposed</i> species.
(SC)	<i>Species of Concern</i>	May be endangered or threatened. Not enough biological information has been gathered to support listing at this time.
(SLC)	<i>Species of Local Concern</i>	Species of local or regional concern or conservation significance.
(MB)	<i>Migratory Bird</i>	Migratory bird
NMFS	NMFS species	Under the jurisdiction of the National Marine Fisheries Service. Contact them directly.
(D)	<i>Delisted</i>	Delisted. Status to be monitored for 5 years.
(CA)	<i>State-Listed</i>	Listed as threatened or endangered by the State of California.
(*)	<i>Extirpated</i>	Possibly extirpated from this quad.
(**)	<i>Extinct</i>	Possibly extinct.
	<i>Critical Habitat</i>	Area essential to the conservation of a species.

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



August 9, 2006

Reply To: FHWA060512E

Elizabeth McKee
Acting Chief, Office of Cultural Studies
California Department of Transportation, District 4
111 Grand Avenue
PO Box 23660
Oakland, CA 94623-0660

Re: Determination of Eligibility for the Proposed I-580 Eastbound HOV Lane Project,
Alameda County, CA

Dear Ms. McKee

Thank you for consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

The California Department of Transportation is requesting my concurrence, pursuant to Stipulation VIII.C.5 of the PA, that the following properties are not eligible for the National Register of Historic Places:

- 812 Vasco Road, Livermore, CA
- 6264 North Front Road, Livermore, CA
- 6342 North Front Road, Livermore, CA

Based on my review of the submitted documentation, I concur.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 654-0631 or e-mail at nlind@ohp.parks.ca.gov.

Sincerely,

Milford Wayne Donaldson for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer